

Supporting Statement A for

HAZARDOUS WASTE WORKER TRAINING – 42 CFR Part 65
(OMB NO. 0925-0348; Exp. November 30, 2012) (NIEHS)

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LIST OF ATTACHMENTS:

Attachment 1 - Information Collection Questionnaire (Data Management System)

Attachment 2 – Data Management System Screenshots

A.1 Circumstances Making the Collection of Information Necessary

This request is for OMB review this submission as an extension of the information collection requirements in 42 CFR Part 65, National Institutes of Environmental Health Sciences (NIEHS) **Hazardous Waste Worker Training**. Section 126(g) of the **Superfund Amendments and Reauthorization Act of 1986** (42 USC 9960 a) authorized the NIEHS to administer a program of grants for the training and education of workers who engage in activities related to hazardous waste removal, or containment, or emergency response operation.

The regulations, published in October 1990, establish standards for eligibility and application procedures. Specifically, the regulations establish the following requirements:

§ 65.4(a) Reporting and Recordkeeping.

Establishes specific reporting and record keeping for joint applications.

§ 65.4(b) Reporting.

States the minimum information to be included in the application.

§ 65.4(c) Reporting.

Requires the respondent to provide assurance to the awarding component that there will be no discrimination in selection of trainees or instructors in relation to union membership contained under OMB No. 0925-0348 (expiration date November 30, 2012).

This regulation does not call for information of a sensitive nature.

§ 65.6(b) Reporting.

States the requirement of written application for continuation award. Application is made by the use of forms PHS 398 and 2590 (OMB No. 0925-0001, expiration date June 30, 2012).

Supplementary information for the 42 CFR Part 65 regulations, published in December 1994, became necessary when Congress passed the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) of 1990, which created a new grant program in training hazardous materials transportation employees for NIEHS. Although no funds for this activity have been passed through from the Department of Transportation (DOT), our Legislative Implementation Plan (LIP) for this program required that we make reference to this new statutory authority and go through the rulemaking process.

A.2 Purpose and Use of the Information Collection

Respondent organizations are to provide information in accordance with § 65.4(a), (b), (c) and § 65.6(b) on the nature, duration, and purpose of the training, selection criteria for trainees' qualifications, and competency of the project director and staff, cooperative arrangements in the case of joint applications, the adequacy of training plans and resources, including budget and response to meeting training criteria in OSHA's Hazardous Waste Operations and Emergency Response Regulations (29 CFR 1910.120). The information collected is used by the Director through officers, employees, experts, and consultants to evaluate applications based on technical merit to determine whether to make awards. Since the last submission, the information collected the past three years has been used in training

summaries containing information on numbers of workers trained, courses conducted and contact hours; progress reports; and highlights of accomplishments. This information has been utilized to prepare the yearly Congressional Justification for Superfund, to answer congressional enquiries, as well as to highlight worker safety training initiatives and the successes of the program.

A.3 Use of Information Technology and Burden Reduction

In an effort to reduce the burden to the respondent, electronic submission of training data via a web based data management system and electronic mail is permitted. Pilot efforts to develop electronic grant applications have expanded to include dozens of U.S. organizations on an experimental basis, leading toward full implementation of the alternative path of electronic transmission of grant applications. The Center for Scientific Review, a component of the National Institutes of Health, is directing this activity. On August 24, 2009 the NIH Privacy Act Officer approved the PIA for the NIEHS Hazardous Worker Training Data Management System stating the following, “I have reviewed the NIEHS submission to OMB entitled “Hazardous Waste Worker Training” and have determined that the Privacy Act will not apply to this data collection. Although personally identifiable information such as race, sex and demographic information will be collected, the WETB curricula Information and Data Management System (DMS) was not designed to retrieve data by a name or personal identifier linked to the students. The data will only be used in aggregate form to report the training and education of workers engaged in activities related to hazardous materials and waste generation, removal, containment, transportation, and emergency response.”

A.4 Efforts to Identify Duplication and Use of Similar Information

The information requested is unique to each application. No other method of obtaining the required information exists. Similar information is not available. However, in the case of continuation grants pre-printed forms for each previously funded respondent organization are prepared with basic information from the initial application and transmitted to the organizations in the first stage of application.

A.5 Impact on Small Businesses or Other Small Entities

42 USC 9660 (a) restricts awards under this program to nonprofit organizations.

A.6 Consequences of Collecting the Information Less Frequently

Application for previously recommended support (noncompeting continuation) is requested annually, for consistency with other PHS grant programs and the Federal budget process. However, it is necessary to request information on the training data semi-annually since actual and estimated numbers are reported within the noncompeting continuation application. The semi-annually reporting requirement ensures that updated data is reported.

A.7 Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

The information collection requirements are consistent with guidelines of 5 CFR 1320.5.

A.8 Comments in Response to the Federal Register Notice and Efforts to Consult Outside Agency

The information collection was published in the Federal Register on May 14, 2012, Volume 77, No. 93, pages **28395-28396** and allowed 60-days for public comment. No public comments were received. The grantees under the cooperative agreement meet at least twice annually to discuss data collection needs and reporting format.

A.9 Explanation of Any Payment of Gift to Respondents

Respondents are not provided a payment or gift.

A.10 Assurance of Confidentiality Provided to Respondents

Applications, grants and related documents for the NIEHS Hazardous Waste Worker Training was published in the Federal Register on December 13, 1994, page 64139 under the existing Privacy Act System of Records #09-25-0036.

A.11 Justification for Sensitive Questions

Some information provided by respondents, as required by other applicable regulations, may be considered sensitive. However, approval for collection of information of this nature is contained under OMB No. 0925-0001 (expiration date 8/2015). This regulation does not call for information of a sensitive nature. No PII information is being collected.

A.12 Estimates of Hour Burden Including Annualized Hourly Costs

The annual reporting hour burden is as follows: number of respondents: 20; number of responses per respondent: 2; and annual hour burden per response: 560. The average time per response is 14 hours per year. The estimated hour burden for each respondent

includes 9 hours to create documents and 5 hours for support staff to compile the documents.

| Estimated Annualized Burden Hours | | | | |
|--|------------------------------|------------------------------|---|-------------------------------------|
| Type of Respondents | Number of Respondents | Frequency of Response | Average Time Per Response (In Hours) | Total Hour Burden (In Hours) |
| Grantees | 20 | 2 | 14 | 560 |
| Total | 20 | 2 | 14 | 560 |

The annualized cost to respondents is estimated at: \$18,200.00

| Estimated Annualized Cost To Respondents | | | | | |
|---|------------------------------|------------------------------|---|-------------------------|------------------------------|
| Type of Respondents | Number of Respondents | Frequency of Response | Average Time Per Response (In Hours) | Hourly Wage Rate | Total Respondent Cost |
| Professional Staff | 20 | 2 | 9 hours | \$40.00 | \$14,400.00 |
| Support Staff | 20 | 2 | 5 hours | \$19.00 | \$3,800.00 |
| Total | | | | | \$18,200.00 |

A.13 Estimate of Other Total Annual Cost Burden to Respondents or Record

There are no other total annual cost burdens to report. There are no Capitol Costs, Operating Costs and/or Maintenance Costs to report.

A.14 Annualized Cost to the Federal Government

Administration of the program involves development and monitoring activities. The average annual cost to the government will include personnel hours in the maintenance of the information database, which is done under an existing contract with loaded labor rates and includes monitoring, coding, updating, trouble shooting, etc. The personnel hours are estimated in the amount of 150 hours a year at \$205 an hour for a total of \$30,750.

A.15 Explanation for Program Changes or Adjustments

The slight increase to the annual hour burden from 504 to 560 is due to normal inflation over time. Addition of new responsibilities within a program training component (i.e. hazmat disaster preparedness training program), increased roles and responsibilities of the NIEHS WETP under the National Response Framework Worker Safety and Health Annex, and a general increase in training conducted under this program. The Department of Health and Human Services, which includes the National Institutes of Health and the NIEHS, is a signatory to the National Response Framework (NRF). Upon the activation of the National Response Plan (NRP) NIEHS may be activated by the Occupational Safety and Health Administration (OSHA) under the NRF's Worker Safety Health Annex to provide:

- Training technical assistance such as instructional staff, curriculum development experts, subject-matter experts, and professional staff.
- Safety training to worker target populations with respect to the nature and location of the incident and the particular hazards.
- Assistance and support in the development and delivery of site-specific health and safety training through appropriately qualified WETP awardee instructional staff.
- Assistance such as respirator fit-testing and distribution of personal protective equipment.

A.16 Plans for Tabulation and Publication and Project Time Schedule

There are no plans for publication.

A.17 Reason(s) Display of OMB Expiration Date is Inappropriate

There is no objection to the display of OMB expiration date.

A.18 Exceptions to Certification for Paperwork Reduction Act Submissions

The information collection activity complies with 5 CFR 1320.